

DOA: 5/12/2024

UNITED STATES DISTRICT COURT

for the
District of Arizona

United States of America
v.
Cristian Guadalupe Perez-Perez,
a.k.a: Cristian Perez,
a.k.a: Cristian Perez-Perez,
A #240 835 981

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)
)
)
)

Case No.

24-5143MS

Defendant**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the dates alleged in Attachment A, in the District of Arizona, the defendant violated Title 8, United States Code, Section 1326(a), a felony, and Title 8, United States Code, Section 1325(a)(1), a class B misdemeanor, offenses described as follows:

See Attachment A Incorporated By Reference Herein

I further state that I am Border Patrol Agent.

This criminal complaint is based on these facts:

See Attached Statement of Probable Cause Incorporated By Reference Herein

CHARLES BAILEY

Digitally signed by CHARLES BAILEY
Date: 2024.05.13 12:45:20 -07'00'

AUTHORIZED BY: Charles E. Bailey Jr., P.S. for AUSA Michael E. Shaw

☒ Continued on the attached sheet.

**MICHAEL A JARA-
GARCIA**

Digitally signed by MICHAEL A
JARA-GARCIA
Date: 2024.05.13 13:07:20 -07'00'

Complainant's signature

Michael Jara-Garcia,
United States Border Patrol

Printed name and title

Sworn to telephonically.

Date: May 13, 2024

@ 2:28 pm

[Handwritten signature]

Judge's signature

City and state: Phoenix, Arizona

Deborah M. Fine
United States Magistrate Judge

Printed name and title

ATTACHMENT A

Count 1

On or about May 12, 2024, Cristian Guadalupe Perez-Perez, an alien, was found in the United States at or near Gila Bend, in Maricopa County, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States, at or near San Luis, Arizona, on or about January 10, 2024, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission to the United States, in violation of Title 8, United States Code, Section 1326(a), a Class E felony.

Count 2

On or about May 9, 2024, at or near Lukeville, in the District of Arizona, Cristian Guadalupe Perez-Perez, an alien, did knowingly and voluntarily enter the United States at a time and place other than as designated by Immigration Officers of the United States, in violation of Title 8, United States Code, Section 1325(a)(1), a Class B misdemeanor.

STATEMENT OF PROBABLE CAUSE

I, Michael Jara-Garcia, being duly sworn, hereby depose and state as follows:

1. Your affiant is a United States Border Patrol Agent. I have learned the facts recited herein from direct participation in the investigation and from the reports and communications of other agents and officers.
2. On or about May 12, 2024, an individual was apprehended by Border Patrol agents near Gila Bend, in Maricopa County, in the District of Arizona. The agents performed an immigration inspection on the individual, later identified as Cristian Guadalupe Perez-Perez, who admitted to being a citizen and national of Mexico, unlawfully present in the United States. Perez-Perez was transported to the Ajo Border Patrol Station for further processing. Perez-Perez was held in administrative custody until his identity could be confirmed and his immigration and criminal history could be obtained.
3. Immigration history checks revealed Cristian Guadalupe Perez-Perez to be a citizen of Mexico and a previously deported alien. Perez-Perez was removed from the United States to Mexico through San Luis, Arizona, on or about January 10, 2024, pursuant to a final order of removal issued by an immigration official. There is no record of Cristian Guadalupe Perez-Perez in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal.

4. Furthermore, there is no record of Cristian Guadalupe Perez-Perez in any Department of Homeland Security database to suggest that after his last removal from the United States he entered the United States at an official Port of Entry. Had Perez-Perez presented himself at a Port of Entry, Department of Homeland Security records likely would reveal that information. Accordingly, your affiant believes that Perez-Perez unlawfully entered the United States at a time or place other than as designated by Immigration Officers of the United States of America. Perez-Perez's immigration history was matched to him by electronic fingerprint comparison.
5. On or about May 13, 2024, Cristian Guadalupe Perez-Perez was advised of his constitutional rights. Perez-Perez freely and willingly acknowledged his rights but did not agree to provide a statement under oath. However, during his initial encounter with Border Patrol agents on May 12, 2024, Perez-Perez admitted that he illegally entered the United States at or near Lukeville, Arizona, on or about May 9, 2024.
6. For these reasons, this affiant submits that there is probable cause to believe that on or about May 12, 2024, Cristian Guadalupe Perez-Perez, an alien, was found in the United States at or near Gila Bend, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near San Luis, Arizona, on or about January 10, 2024, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission to the United States, in violation of Title 8, United States Code, Section 1326(a), and on or about May 9, 2024, at or near Lukeville, in the District of Arizona,

Cristian Guadalupe Perez-Perez, an alien, unlawfully entered the United States at a time or place other than as designated by Immigration Officers of the United States, in violation of Title 8, United States Code, Section 1325(a)(1).

7. This affidavit was sworn to telephonically before a United States Magistrate Judge legally authorized to administer an oath for this purpose. I have thoroughly reviewed the affidavit and the attachments to it, and attest that there is sufficient evidence to establish probable cause that the defendant violated Title 8, United States Code, Section 1326(a), and Title 8, United States Code, Section 1325(a)(1).

MICHAEL A JARA-GARCIA
Digitally signed by MICHAEL A JARA-GARCIA
Date: 2024.05.13 13:07:53 -07'00'

Michael Jara-Garcia,
United States Border Patrol

Sworn to telephonically on
May 13, 2024


Deborah M. Fine
United States Magistrate Judge